

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION


NATHANIEL KEITH SINGLETON	§	
	§	
V.	§	CIVIL ACTION NO. G-03-157
	§	
SGT. TAYLOR	§	

**ORDER OF DISMISSAL**

Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on January 19, 2007, which recommends that the above-styled cause be dismissed with prejudice. In his objections to the Report and Recommendation, Plaintiff reasserts already pleaded, self-serving facts which are unsubstantiated, conclusory and wholly fail to show that a genuine issue for trial exists. Failing to meet his burden to show that summary judgment is not appropriate, the Court finds Plaintiff's objections to be without merit.

After *de novo* review pursuant to 28 U.S.C. §636 (b)(1)(C), this Court is of the opinion that the Report and Recommendation of the Magistrate Judge should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein. It is the **ORDER** of this Court that the Defendant's Motion for Summary Judgment (Instrument no. 31) is **GRANTED** and that the instant cause is **DISMISSED with prejudice as frivolous and for failure to state a claim for which relief can be granted.**

**DONE** at Galveston, Texas, this the 2<sup>nd</sup> day of February, 2007.



---

Samuel B. Kent  
United States District Judge